IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4877 OF 2005

Rajesh Shantilal Chavan ...Applicant
vs.
The State of Maharashtra ...Respondent

Ms Pranali Kakade for the Applicant
Ms Rajeshree Gadhvi,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 4,2005

P.C.: 1. Heard Advocate for the Applicant and the learned A.P.P. for State. F.I.R. has been registered at the instance of the Manager of State Bank of India, Mysore Branch. The allegation seems to be that a builder sold certain flats in the buildings constructed by him. The bank released loan in favour of the flat purchasers. Later on the same set of flats were sold by the builder to different purchasers and loans have been obtained from different banks against the same flats.

2. The allegation against the Applicant is that the Applicant identified the builder when he opened an account with the bank. It is alleged that he acted as a middleman in sale of flats by the builders. If these are the only allegations made against the Applicant, it is obvious that custodial interrogation of the Applicant is not required. Hence, a case is made out for grant of anticipatory bail.

3. Hence I pass the following order :

i) In the event of the arrest of the Applicant in connection

with C.R.No.267 of 2005 registered with Chaturshringi Police Station, the Applicant shall be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.10,000/- (Rupees ten thousand only) with one or two sureties in the like amount.

ii) The Bail is granted subject to condition that the Applicant will attend the concerned Police Station as and when called upon to do so till filing of the charge sheet and will cooperate for the purposes of investigation.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the Police Officer/investigating agency. The Applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) This order will enure to the benefit of the Applicant only till charge sheet is filed. Thereafter, he will be free to apply to the appropriate Court for appropriate relief.
vi) Application is disposed of in above terms.
vii) Parties to act upon an authenticated copy of this order.

JUDGE